

STATEMENT OF PROCEEDINGS FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B OF THE KENNETH HAHN HALL OF ADMINISTRATION 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012 Tuesday, January 24, 2012

9:30 AM

Present: Supervisor Molina, Supervisor Ridley-Thomas, Supervisor

Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

Video Link for the Entire Meeting (03-1075)

<u>Attachments:</u> <u>Video Transcript</u>

Invocation led by Kyle Shimazaki, Senior Associate Pastor of Outreach Ministries, Evergreen Baptist Church, San Gabriel Valley (1).

Pledge of Allegiance led by Roy Downey, Commander, Post No. 507, Newhall-Saugus, The American Legion (5).

I. PRESENTATIONS/SET MATTERS

Presentation of scroll to Christine Figueroa in recognition of 44 years of dedicated service to the County of Los Angeles, as arranged by Supervisor Knabe.

Presentation of scrolls to the Saugus High School Girls Cross Country Team in recognition of their recent State Championship, as arranged by Supervisor Antonovich.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich. (12-0009)

S-1. 11:30 a.m.

Status report by the Director of Health Services and the Chief Executive Officer on various key indicators of progress, hospital operation status, and any other issues relating to the transition to the new Los Angeles County Medical Center. (08-3250)

Dr. Genevieve Clavreul and Eric Preven addressed the Board.

By Common Consent, there being no objection, the Director of Health Services' report was received and filed.

Attachments: Report

Report Video 1 Video 2

II. PUBLIC HEARINGS 1-9

1. De novo hearing on Project No. R2011-00177-(5), Conditional Use Permit 201100018-(5) and Categorical Exemption, to replace three existing 85-foot tall temporary meteorological towers with three new approximately 198-foot (60 meters) tall towers, and add two new 198-foot towers, for a total of five temporary meteorological towers on approximately 3,284 acres in the A-2-5 (Heavy Agricultural - Five Acre Minimum Required Lot Area) Zone, located in the vicinity of 170th Street West and Lancaster Road within the Antelope Valley West Zoned District, applied for by Element Power, LLC. (Appeal from Regional Planning Commission's approval.) (Regional Planning) (Continued from meeting of 11-22-11) (11-4100)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Susan Tae, representing the Department of Regional Planning, testified. Opportunity was given for interested persons to address the Board. Judith Sterling, Alan Carley, John Goit, Douglas Bonanno, John Waters, Stan Anderson, David Whiteside, Gene Melchars, and other interested persons addressed the Board. Correspondence was presented.

On motion of Supervisor Antonovich, seconded by Supervisor Ridley-Thomas, the Board closed the public hearing; indicated its intent to approve the appeal of the Regional Planning Commission's approval, deny the conditional use permit; and instructed County Counsel to prepare the necessary findings to deny the Commission's approval of Conditional Use Permit No. 201100018.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

Attachments: Board Letter and Appeal

Maps

Motion by Supervisor Antonovich

Video

De novo hearing on Project No. R2010-01402-(5), Conditional Use Permit No. 201000136-(5) and Categorical Exemption, to authorize the construction, operation and maintenance of a 197' 8" (60 meter) tall temporary meteorological tower in the A-1-2 (Light Agricultural - Two Acre Minimum) Zone, located at 170th Street West near Lancaster Road in the unincorporated community of Antelope Valley, in the Antelope Valley West Zoned District (Latitude and longitude coordinates: 34.729727, -118.433347), applied for by Michael O'Sullivan, Boulevard Associates, LLC. (Appeal from the Regional Planning Commission's approval.) (Regional Planning) (Continued from meeting of 11-22-11) (11-3759)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Susan Tae, representing the Department of Regional Planning, testified. Opportunity was given for interested persons to address the Board. Cyndy May addressed the Board. Correspondence was presented.

On motion of Supervisor Antonovich, seconded by Supervisor Molina, the Board closed the public hearing; indicated its intent to approve the appeal of the Regional Planning Commission's approval, deny the conditional use permit; and instructed County Counsel to prepare the necessary findings to deny the Commission's approval of Conditional Use Permit No. 201000136.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Board Letter and Appeal

Motion by Supervisor Antonovich

Video

3. De novo hearing on the following land use and zoning matters, and a Mitigated Negative Declaration relating to the property located at 5006 North Bartlett Avenue, in the unincorporated community of East Pasadena-East San Gabriel, East San Gabriel Zoned District: (Appeal from Regional Planning Commission's approval on May 18, 2011.) (Regional Planning) (Continued from meeting of 11-22-11)

Tentative Tract Map No. 071234-(5) a subdivision of land to create one multi-family lot with 30 detached condominium units on 4.2 gross acres;

Housing Permit No. 201000002-(5) an administrative housing permit to allow a density bonus of five dwelling units with three dwelling units set aside for very low income households;

Oak Tree Permit No. 201000009-(5) for the removal of one non-heritage Oak tree and to encroach into the protected zone of one heritage;

Oak tree, Environmental Assessment No. 201000015-(5) to adopt a Mitigated Negative Declaration with less than significant/no impacts with project mitigation for Mitigation Compliance, Fire/Sheriff, Education, Sewage Disposal, Visual Qualities, Cultural Resources, Biota, Air Quality, Water Quality, and Noise pursuant to California Environmental Quality Act reporting requirements. (11-4283)

On motion of Supervisor Antonovich, and by Common Consent, there being no objection, this item was continued to March 27, 2012.

<u>Attachments:</u> Board Letter and Appeal

Maps and Exhibits

4. Hearing on the annexation of 27 parcels to the Consolidated Sewer Maintenance District, Parcel Nos. 201-11 to 227-11, within the unincorporated territories of Avocado Heights, Hacienda Heights, Industry, Irwindale, Pasadena, Rowland Heights, West Covina, and Whittier and the Cities of Artesia, Bell Gardens, Bellflower, Commerce, Diamond Bar, Glendora, Hawaiian Gardens, San Dimas, Santa Fe Springs, and Walnut (1, 4, and 5); find that the annexations and assessments are to meet operational expenses to maintain service within the proposed annexation areas and are categorically exempt from the California Environmental Quality Act; find that the parcels proposed to be annexed will be benefited by the annexation; authorize the boundaries of the Consolidated Sewer Maintenance District to be altered to include such benefitted parcels, and order levying of sewer service charges within the annexed parcels to be effective in Fiscal Year 2013-14; and adopt a resolution approving and accepting negotiations that there will be no exchange of property tax revenues from annexation of the 27 parcels. (Department of **Public Works)** (11-5197)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Nicholas Agbobu, representing the Department of Public Works, testified. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was presented.

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Molina, the Board closed the public hearing and took the following actions:

- 1. Determined that no majority written protest against the proposed annexation or sewer service charge exists;
- 2. Made a finding that the annexations and levying of sewer service charges are to meet operational expenses to maintain service within the proposed annexation areas; that the parcels proposed to be annexed will be benefited by the annexation; and determined that said action is exempt from the California Environmental Quality Act;
- 3. Authorized the boundaries of the Consolidated Sewer Maintenance District to be altered to include such benefited parcels and ordered the levying of sewer service charges within the annexed parcels to be effective in Fiscal Year 2013-14;

- Adopted a resolution approving and accepting negotiations that there will be no exchange of property tax revenues from the annexation of the 27 parcels; and
- 5. Instructed the Director of Public Works or her designee to file the necessary statement of boundary change with the State Board of Equalization and the County Assessor.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> <u>Board Letter</u>

Video

5. Hearing to approve the continuation of the Hollywood Bowl Park-and-Ride and Shuttle Program to provide service from park-and-ride lots and shuttle lots to the Hollywood Bowl for the 2012 Hollywood Bowl Summer Season at an estimated cost of \$2,206,000, with the County's share of the cost at \$378,000 to be financed from the Top-of-Pot allocation of the County's Proposition A Local Return Transit Program; approve a cash fare increase for the park-and-ride service from \$8.00 to \$10.00 per roundtrip for patrons without prepurchased bus tickets commencing with the 2012 season; approve a fare increase for the shuttle service from \$4.00 to \$5.00 per roundtrip commencing with the 2012 season; authorize the Director of Public Works or her designee to negotiate and award contracts to bus operators to provide service for the park-and-ride lots; and execute an agreement with the Los Angeles Philharmonic Association for operations and cost sharing. (Department of Public Works) (12-0085)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. Eric Preven addressed the Board. No correspondence was presented.

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Yaroslavsky, the Board closed the public hearing and took the following actions:

- 1. Made a finding that activity is statutorily exempt from the provisions of the California Environmental Quality Act;
- 2. Approved the continuation of the Hollywood Bowl Park-and-Ride and Shuttle Program to provide bus service from park-and-ride lots and

shuttle lots to the Hollywood Bowl for the 2012 Hollywood Bowl summer season at an estimated cost of \$2,206,000, with the County's share of the cost estimated to be \$378,000;

- 3. Approved a fare increase for the park-and-ride service commencing with the 2012 season. The fare for patrons who pre-purchase bus tickets will remain at \$5.00 per person for a roundtrip. The fare for patrons without pre-purchased tickets will increase from \$8.00 to \$10.00 per person for a roundtrip;
- 4. Approved a fare increase for the shuttle service from \$4.00 to \$5.00 per roundtrip to the Hollywood Bowl commencing with the 2012 season;
- Authorized the Director of Public Works or her designee to negotiate and award contracts to independent bus operators that are determined to be the most qualified, responsible proposers for the park-and-ride lots;
- 6. Authorized the Director of Public Works or her designee to negotiate the necessary agreements with various municipal bus operators to provide service for the park-and-ride lots;
- 7. Approved a County contribution equal to 56% of the net cost of the park-and-ride service, estimated to be \$273,000;
- 8. Authorized the Director of Public Works or her designee to execute an agreement with the Los Angeles Philharmonic Association to provide buses for the distant park-and-ride lots in the event a contracted bus operator fails to deliver service; and to contribute to the County 44% of the net cost of the park-and-ride service, estimated to be \$211,000; and for the County to contribute \$105,000 toward the cost of the shuttle service; and
- Instructed the Director of Public Works or her designee to sign the necessary agreements after County Counsel has reviewed and approved as to form.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Board Letter

Video

6. Hearing on the Settlement of three eminent domain actions brought by the State of California Department of Transportation to acquire a portion of an undeveloped County park known as Shady Bend Park located in the unincorporated Llano Community in the Antelope Valley in connection with improvements to the Pearblossom Highway; find that the offer of compensation complies with the Public Park Preservation Act; authorize County Counsel to accept total compensation of \$108,410 plus interest and stipulate to judgment and the final order of condemnation; and instruct the Auditor-Controller and the Chief Executive Officer to coordinate with the Department of Parks and Recreation to deposit the sales proceeds into the appropriate trust fund pursuant to the Public Park Preservation Act. (County Counsel) (12-0330)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was presented.

On motion of Supervisor Knabe, seconded by Supervisor Ridley-Thomas, the Board closed the public hearing and took the following actions:

- Made a finding that the offer of compensation received from the State of California, Department of Transportation in the amount of \$108,410, for the taking of the County's park land complies with the requirements of the Public Park Preservation Act of 1971;
- 2. Authorized the Office of the County Counsel to settle the three eminent domain lawsuits by accepting total compensation in the amount of \$108,410, plus interest at the statutorily-prescribed rate, from the date of possession, May 16, 2011, to the date of payment, and to stipulate to the judgment and final order of condemnation; and
- 3. Instructed the Auditor-Controller and the Chief Executive Officer to coordinate with the Director of Parks and Recreation to deposit the sales proceeds into the appropriate trust fund pursuant to the Public Park Preservation Act.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> <u>Board Letter</u>

<u>Video</u>

7. De novo hearing on Project No. R2010-01627-(All Districts) and Advance Planning Case No. 201000014-(All Districts) to amend Title 21 - Subdivision Ordinance and Title 22 - Zoning Ordinance of the Los Angeles County Code ("Healthy Design Ordinance") to incorporate healthy design features such as wider sidewalks and walkways, shade trees, bicycle parking, farmers' markets, and community gardens; find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and that the Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Negative Declaration. (Regional Planning) (11-5534)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Susan Tae, representing the Department of Regional Planning, testified. Joshua Huntington and Jodie Sackett, representing the Department of Regional Planning, were also present. Opportunity was given for interested persons to address the Board. Anthony Crump and Alexis Lantz addressed the Board. Correspondence was presented.

Supervisor Yaroslavsky made a motion, seconded by Supervisor Knabe, for the Board to close the public hearing, approve the Regional Planning Commission's recommendations, including those contained in the Department of Regional Planning's verbal presentation along with the following additional amendments:

- Restore the proposed deletions to County Code Section 21.48.040
 because these technical changes have nothing to do with Healthy
 Design, and should be brought before the Board under a stand-alone
 ordinance change so that members of the public may have the
 opportunity to comment on their merit;
- 2. Restore the amendment contained in the initial draft of the ordinance, which required a cross section showing roadway paving width and type, roadway median, curb and gutter or road shoulder, sidewalk paving width and type, landscaping and tree planting, street lighting, wall and/or fence design, and other such information as the Director of Regional Planning deems necessary;
- Declare that it is the intent of this Board and the policy of this County to encourage design of public and private facilities in a manner that encourages pedestrian activity, bicycling, the comfortable use of public transit, and outdoor physical activities;

- 4. Direct the Chief Executive Officer to coordinate a department-wide effort to review the approaches contained within the "Healthy Communities Report: Active Transportation Design Guidance and Recommendations" as well as the best practices contained within the Model Design Manual for Living Streets;
- 5. Instruct the Chief Executive Officer to report back to the Board within 180 days with a recommendation as to: a) which of these practices should be either mandated or encouraged by the County; b) the appropriate mechanism by which these practices should be implemented; c) an implementation program to ensure these recommended practices are carried out, as appropriate, in both public and private facilities; and d) potential funding mechanisms to implement these policies, including from future Public Health grants or other sources;
- 6. Direct every County Department, specifically including the Director of Public Works, the Director of Planning, the Fire Chief, and the Director of Public Health, to actively cooperate in this effort, and to assist in achieving the intent of the Board and the policy of the County, as stated above.

Supervisor Knabe made a suggestion to amend Supervisor Yaroslavsky's motion to include a report back by the Director of Planning on additional information on the elimination of the alternate cross-section street design for residential subdivisions and its potential impact. Supervisor Yaroslavsky accepted Supervisor Knabe's amendment.

Supervisor Ridley-Thomas further made a friendly amendment to amend Supervisor Yaroslavsky's motion to request a report back on a biannual basis on the progress of the Healthy Design. Supervisor Yaroslavsky accepted Supervisor Ridley-Thomas' friendly amendment.

After discussion, on motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, the Board closed the public hearing, approved the Regional Planning Commission's recommendations, including those contained in the Department's verbal presentation, along with the following additional amendments:

- Considered and adopted the Negative Declaration (ND) and the Environmental Documents; made a finding on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and that the ND reflects the independent judgment and analysis of the County;
- Approved the recommendation of the Regional Planning Commission to amend Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of the Los Angeles County Code to modify and establish uses, development standards, and permit requirements to encourage more walking, bicycling and exercise, and encourage better access to healthy foods, as reflected in the draft ordinance;
- Instructed County Counsel to prepare an ordinance amending
 Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of
 the Los Angeles County Code, as recommended by the Regional
 Planning Commission;
- 4. Restored the proposed deletions to County Code Section 21.48.040 because these technical changes have nothing to do with Healthy Design, and should be brought before the Board under a stand-alone ordinance change so that members of the public may have the opportunity to comment on their merit;
- 5. Restored the amendment contained in the initial draft of the ordinance, which required a cross section showing roadway paving width and type, roadway median, curb and gutter or road shoulder, sidewalk paving width and type, landscaping and tree planting, street lighting, wall and/or fence design, and other such information as the Director of Planning deems necessary;
- 6. Declared that it is the intent of the Board and the policy of this County to encourage design of public and private facilities in a manner that encourages pedestrian activity, bicycling, the comfortable use of public transit, and outdoor physical activities;

- 7. Directed the Chief Executive Officer to coordinate a department-wide effort to review the approaches contained within the "Healthy Communities Report: Active Transportation Design Guidance and Recommendations" as well as the best practices contained within the Model Design Manual for Living Streets;
- 8. Instructed the Chief Executive Officer to report back to the Board within 180 days with a recommendation as to: a) which of these practices should be either mandated or encouraged by the County; b) the appropriate mechanism by which these practices should be implemented; c) an implementation program to ensure these recommended practices are carried out, as appropriate, in both public and private facilities; and d) potential funding mechanisms to implement these policies, including from future Public Health grants or other sources;
- Directed every County Department, specifically including the Director of Public Works, the Director of Planning, the Fire Chief, and the Director of Public Health, to actively cooperate in this effort, and to assist in achieving the intent of this Board and the policy of this County, as stated above; and
- 10. Instructed the Director of Planning to report back on additional information on the elimination of the alternate cross-section street design for residential subdivisions and its potential impact; and report back on a biannual basis on the progress of the Healthy Design.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> <u>Board Letter</u>

Motion by Supervisor Yaroslavsky

Report Video 8. De novo hearing on Project No. R2011-00425-(All Districts), Case No. RADV201100006-(All Districts), and Environmental Case No. T201100135-(All Districts), proposed amendment to the Los Angeles County Code, Title 22 -Planning and Zoning, to establish a Rural Outdoor Lighting District that includes objective, measurable standards for outdoor lighting that would be applicable within a rural lighting zoning overlay, recommend modifications to the State of California's Lighting Zone's outdoor lighting classifications; find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and that the Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Negative Declaration. (Regional Planning) (11-5418)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Karen Lafferty, Supervising Planner, representing the Department of Regional Planning, testified. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. Correspondence was presented.

Supervisor Yaroslavsky made a motion, seconded by Supervisor Antonovich, to amend the item to:

- 1. Approve staff's written recommendations one through three, and instruct County Counsel, in cooperation with the Director of Regional Planning and the Director of Public Works, to prepare an ordinance amending Title 22 of the Los Angeles County Code as recommended by the Regional Planning Commission except as modified below, and bring the revised ordinance back to the Board for final approval with all of the following amendments:
 - While not mandating that street lighting be replaced within a pre-determined timeframe, require that all new or replacement street lighting fixtures utilize full-cutoff (flat glass lens) luminaries as approved by the Director of Public Works;
 - b. Clarify that the street lighting requirements contained in 22.44.560(A) (3) shall only be required where the urban cross section (with sidewalk, curb, and gutter) is used:
 - c. Eliminate all exemptions for public facilities, except for those public facilities that are operated by the Sheriff's Department or Probation Department, or that house (temporarily or permanently) incarcerated persons;

- d. Allow the Director of Regional Planning to ministerially approve taller light standards than the heights specified in the ordinance where the property owner or applicant demonstrates that taller fixtures would reduce the total number of light fixtures needed, and would reduce the amount of light trespass; and
- e. On nonresidential zoned properties, additionally require that outdoor lighting that causes light trespass onto open space zone property, or the improved portion of the public right of way, be removed or modified to eliminate the light trespass within six months of the effective date of the ordinance; and
- 2. Instruct the Director of Public Works, the Director of Internal Services, and all other departments that operate facilities affected by the ordinance, to provide the Board with a report detailing how they plan to comply with the ordinance within six months, and as needed thereafter; instruct that this report should be prepared with the goal of finding the most cost-effective method of complying with the ordinance and reducing light impacts to the rural communities of Los Angeles County; and, prohibit Public Works from using Road funds or Flood Control District funds for this purpose, unless they receive explicit permission at a later date from the Board of Supervisors.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, the Board closed the public hearing and took the following actions:

- Considered and adopted the Negative Declaration, made a finding on the basis of the whole record that there is no substantial evidence the project will have a significant effect on the environment, and made a finding that the Negative Declaration reflects the independent judgment and analysis of the Board;
- 2. Approved the recommendation of the Regional Planning Commission to amend the County Code relating to the Rural Outdoor Lighting District as reflected in the draft ordinance;
- 3. Indicated its intent to approve modifications to the State's Lighting Zone's outdoor lighting classifications;

- 4. Instructed County Counsel, in cooperation with the Director of Regional Planning and the Director of Public Works, to prepare an ordinance amending Title 22 of the Los Angeles County Code as recommended by the Regional Planning Commission except as modified below, and bring the revised ordinance back to the Board for final approval with all of the following amendments:
 - a. While not mandating that street lighting be replaced within a pre-determined timeframe, require that all new or replacement street lighting fixtures utilize full-cutoff (flat glass lens) luminaries as approved by the Director of Public Works;
 - b. Clarify that the street lighting requirements contained in 22.44.560(A) (3) shall only be required where the urban cross section (with sidewalk, curb, and gutter) is used;
 - Eliminate all exemptions for public facilities, except for those public facilities that are operated by the Sheriff's Department or Probation Department, or that house (temporarily or permanently) incarcerated persons;
 - d. Allow the Director of Regional Planning to ministerially approve taller light standards than the heights specified in the ordinance where the property owner or applicant demonstrates that taller fixtures would reduce the total number of light fixtures needed, and would reduce the amount of light trespass; and
 - e. On nonresidential zoned properties, additionally require that outdoor lighting that causes light trespass onto open space zone property, or the improved portion of the public right of way, be removed or modified to eliminate the light trespass within six months of the effective date of the ordinance; and

5. Instructed the Director of Public Works, the Director of Internal Services, and all other departments that operate facilities affected by the ordinance, to provide the Board with a report detailing how they plan to comply with the ordinance within six months, and as needed thereafter; instructed that the report should be prepared with the goal of finding the most cost-effective method of complying with the ordinance and reducing light impacts to the rural communities of Los Angeles County; and, prohibited Public Works from using Road funds or Flood Control District funds for this purpose, unless they receive explicit permission at a later date from the Board of Supervisors.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

Attachments: Board Letter

Motion by Supervisors Yaroslavsky and Antonovich

Report Video 9. Hearing to consider the Mitigated Negative Declaration for the Topanga Canyon Boulevard Underground Utility District Project (Project) together with any comments received during the public review period; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; find, on the basis of the whole record before the Board, that there is no substantial evidence the project will have a significant effect on the environment, and adopt the Mitigated Negative Declaration; establish Capital Project No. 77441 and approve the total project budget of \$1,000,000 for the Project; if no protests exist, adopt the Resolution establishing the Topanga Canyon Boulevard Underground Utility District, and adopt the Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.416; if protests exist and the Board determines the protests to be less than sufficient to require revision of the Resolution and Ordinance, overrule all protests, and adopt the Resolution and Ordinance; if protests exist and the Board determines the protests to be sufficient to require modifications to the Resolution and Ordinance, adopt the Resolution and Ordinance with modifications; and if protests exist and the Board finds in favor of the protestants, adopt an order abandoning the Topanga Canyon Boulevard Underground Utility District proceedings. (Department of Public Works) (12-0199)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Steve Dunn, Senior Civil Engineer, representing the Department of Public Works, testified. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was presented.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, the Board closed the public hearing and took the following actions:

1. Considered and adopted the Mitigated Negative Declaration (MND) for the Topanga Canyon Boulevard Underground Utility District Project; made a finding that the MND reflects the independent judgment and analysis of the Board; adopted the Mitigation Monitoring and Reporting Program, finding that the Mitigated Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; made a finding that there is no substantial evidence the Project will have a significant effect on the environment; and

- 2. Determined that no majority protest exists against the proposed establishment of the Topanga Canyon Boulevard Underground Utility District project;
- 3. Approved the Topanga Canyon Boulevard Underground Utility District Project, Capital Project No. 77441 with a total Project budget of \$1,000,000;
- 4. Adopted the Resolution establishing the Topanga Canyon Boulevard Underground Utility District and adopted Ordinance No. 2012-0003 entitled, "An Ordinance amending Title 16 – Highways of the Los Angeles County Code, relating to the Topanga Canyon Boulevard Underground Utility District", which will take effect on February 23, 2012; and
- Delegated authority to the Director of Public Works, or her designee, to execute an agreement with Southern California Edison regarding the use of California Public Utilities Commission Tariff Rule 20A funds for this Project.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

<u>Attachments:</u> <u>Board Letter</u>

Certified Ordinance

Video

ADMINISTRATIVE MATTERS

III. BOARD OF SUPERVISORS 10 - 16

10. Recommendation to approve and authorize the Chief Executive Officer to execute the following agreement: **Documents on file in the Executive Office.**

Supervisor Molina

ALMA Family Services in the amount of \$20,000 (12-0368)

On motion of Supervisor Knabe, seconded by Supervisor Yaroslavsky, this item was duly carried by the following vote:

Ayes: 3 - Supervisor Molina, Supervisor Knabe and

Supervisor Yaroslavsky

Abstentions: 2 - Supervisor Ridley-Thomas and Supervisor

Antonovich

- **11.** Recommendation as submitted by Supervisors Yaroslavsky and Ridley-Thomas:
 - Establish a Los Angeles County Interdepartmental Council on Homelessness (LACICH) to bring together the County stakeholder departments and agencies to coordinate the County's efforts to end homelessness in our community.
 - 2. The goal of the LACICH shall be to develop and sustain an interdepartmental Los Angeles County plan that will seek to prevent and end homelessness by bringing the resources of the entire County family to bear upon this problem in a dynamic, coordinated and collaborative fashion, including the use of national and local best practices, and by ensuring accountability and results. The LACICH shall ensure its efforts are congruent with and complement existing County initiatives.
 - 3. Establish the following structure for the LACICH:
 - a. The LACICH will be presided over by the Chairperson of the Los Angeles County Board of Supervisors and the Chief Executive Officer will serve as the Vice-Chairperson.

- b. LACICH members are the directors of the following Los Angeles County Departments and Agencies: Chief Executive Office, Children and Family Services, Community and Senior Services, Community Development Commission / Housing Authority, Health Services, Human Resources, Mental Health, Military and Veterans Affairs, Probation, Public Defender, Public Health, Public Social Services, Sheriff, Courts and Los Angeles Homeless Services Authority; and
- c. LACICH Advisory Agencies include the U.S. Interagency Council on Homelessness, U.S. Department of Housing and Urban Development, U.S. Social Security Administration, U.S. Department of Veterans Affairs and the U.S. Department of Labor. (12-0359)

On motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, this item was continued one week to January 31, 2012.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> <u>Motion by Supervisors Yaroslavsky and Ridley-Thomas</u>

Motion by Supervisor Knabe

12. Recommendation as submitted by Supervisor Knabe: Direct the Acting Director of Public Social Services to amend contract number COHO7001 for GAIN Vocational Services with the City of Hawthorne/South Bay Work Investment Board to increase the maximum contract amount for July 2011 through March 2012 by \$3,000,000 from \$6,113,262 to \$9,113,262. (12-0375)

Eric Preven addressed the Board.

Supervisor Antonovich made a friendly amendment to Supervisor Knabe's motion to direct the Chief Executive Officer to ensure that the Acting Director of Public Social Services prioritizes Transitional Subsidized Employment Services to former foster youth who are parents currently receiving CalWORKs. Supervisor Knabe accepted Supervisor Antonovich's amendment.

On motion of Supervisor Antonovich, seconded by Supervisor Molina, this item was approved as amended.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

<u>Attachments:</u> <u>Motion by Supervisor Knabe</u>

Motion by Supervisor Antonovich

Video 1 Video 2 13. Recommendation as submitted by Supervisor Knabe: Establish a reward in the amount of \$10,000 in exchange for information leading to the apprehension and/or conviction of the person or persons responsible for the fatal shooting of Mark Mejia who was shot and killed in the 2900 block of Dashwood Street in Lakewood on July 19, 2008. (12-0361)

On motion of Supervisor Knabe, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas,

Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Motion by Supervisor Knabe

Notice of Reward

14. Recommendation as submitted by Supervisors Antonovich and Yaroslavsky: Direct the Chief Executive Officer to create a policy that mandates succession planning as part of all Management Appraisal and Performance Plan (MAPP) goals; and direct the Chief Executive Officer and Director of Personnel to enhance the County's succession planning program and capacity to support departmental efforts to identify and strengthen the "bench strength" of the County's MAPP manager pool. (12-0370)

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Motion by Supervisors Antonovich and Yaroslavsky

15. Recommendation as submitted by Supervisor Antonovich: Direct the Chief Executive Officer to research the Department of Defense inventory and distribute a list to County departments that may have a need for the surplus equipment, including but not limited to industrial vehicles, firefighting and medical equipment. (12-0369)

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

<u>Attachments:</u> Motion by Supervisor Antonovich

16. Recommendation as submitted by Supervisor Antonovich: Waive the \$20 parking fee for approximately 75 vehicles, excluding the cost of liability insurance, at the Music Center Garage for the Los Angeles Superior Court's Legislators Reception with the Los Angeles Legislative Delegation, to be held February 3, 2012. (12-0367)

Eric Preven addressed the Board.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas,

Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Motion by Supervisor Antonovich

Video

IV. CONSENT CALENDAR 17 - 21

Chief Executive Office

17. Recommendation: Approve the appointment of John Krattli to serve as Acting County Counsel effective February 1, 2012, and until such time that a County Counsel is appointed by the Board; approve a salary adjustment for John Krattli to an annual salary of \$232,214 which represents a 9% increase above his current annual salary as the Acting Chief Deputy County Counsel, effective upon appointment and throughout the period he serves as Acting County Counsel. (12-0379)

Eric Preven and Arnold Sachs addressed the Board.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas,

Supervisor Knabe, Supervisor Antonovich and

Supervisor Yaroslavsky

Attachments: Board Letter

Letter

Video

County Operations

18. Recommendation: Authorize County Counsel to settle an eminent domain lawsuit brought by the State of California Department of Transportation to acquire real property interests of the County along Sepulveda Blvd., at Interstate Route 405 in connection with the Interstate 405 Improvement Project, by accepting total compensation in the amount of \$35,200 plus interest at the statutorily-prescribed rate, to the date of payment, and to stipulate to the interlocutory judgment and final order of condemnation in the case titled People of the State of California, Acting by and through the Department of Transportation v. Los Angeles, et al. (County Counsel) (12-0334)

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, this item was approved.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> Board Letter

Public Safety

19. Recommendation: Direct the Chief Executive Officer, Sheriff and the Director of Public Works to develop Jail Facilities Options, which incorporate and consider: a) new, rehabilitation-based housing for female inmates at the Pitchess Detention Center, b) options for the reconfiguration, modernization, and/or expansion of the County's overall jail facility system, with specific recommendations regarding Men's Central Jail, and c) program alternatives that can reduce the County's jail population and enhance inmate security and management; award and authorize the Director to execute an agreement with AECOM Services, Inc. to provide programming and preliminary design services required in the development of Jail Facilities Options, for a fee not to exceed \$5,700,000; adopt and authorize the Chairman to sign a resolution authorizing the Chief Executive Officer to submit an application for \$100,000,000 in Phase II funding available under the 2011 Local Jail Construction Financing Program to augment funding for the design and construction of a medium security jail facility for female inmates at Pitchess Detention Center; and direct the Chief Executive Officer, Sheriff, and Director of Public Works to return with Jail Facilities Options, including program, preliminary design, cost, and financing alternatives by June 30, 2012. (Sheriff's Department and Chief Executive Office) (12-0357)

Brendy Brown, Deborah Burton, George Buzzetti, Danae Tapia, Carol Smith, Joseph Woodsin and other interested persons addressed the Board.

William T Fujioka, Chief Executive Officer, and Jan Takata, Senior Manager, Chief Executive Office, presented a report and responded to questions posed by the Board.

After discussion, Supervisor Knabe made a motion to amend this item to:

- Instruct the Chief Executive Officer to report back on the range of options available under a Public/Private Partnership (P3) structure for designing, building, constructing and/or operating and maintaining the County's jail system; and
- 2. Instruct the Chief Executive Officer to specifically report back on the potential financial cost and benefits of various P3 options and the types of risks that would be incurred or transferred under a P3 structure.

Supervisor Antonovich made a friendly amendment to include contracting options for the Sheriff's sentenced population. Supervisor Knabe accepted Supervisor Antonovich's friendly amendment.

Supervisor Yaroslavsky made a suggestion to amend Supervisor Knabe's motion to also instruct the Chief Executive Officer to bring the work program back to the Board detailing where the \$5,700,000 is to be spent prior to approving an agreement. Supervisor Knabe accepted Supervisor Yaroslavsky's amendment.

Supervisor Knabe made a motion to also instruct the Chief Executive Officer to break out the recommendations the Board can move forward on as a policy decision from the Vera Institute of Justice (Vera) report and which recommendations would require a meeting with other departments or entities.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich, the Board authorized the Chairman to sign a resolution authorizing the Chief Executive Officer to submit an application for \$100,000,000 in Phase II funding available under the 2011 Local Jail Construction Financing Program to augment funding for the design and construction of a medium security jail facility for female inmates at Pitchess Detention Center; and instructed the Chief Executive Officer to:

- Report back on the range of options available under a P3 structure for designing, building, constructing and/or operating and maintaining the County's jail system, including contracting options for the Sheriff's sentenced population;
- Report back on the potential financial cost and benefits of various P3 options and the types of risks that would be incurred or transferred under a P3 structure;
- 3. Report back on the work program detailing where the \$5,700,000 is to be spent prior to approving an agreement; and
- 4. Break out the recommendations the Board can move forward on as a policy decision from the Vera report and which recommendations would require a meeting with other departments or entities.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

Attachments: Board Letter

Motion by Supervisor Knabe

Reports
Video 1
Video 2
Video 3

Miscellaneous Communication

20. Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled <u>Elizabeth O'Donnell v. County of Los Angeles</u>, Los Angeles Superior Court Case No. BC 439 872 in the amount of \$340,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Chief Executive Office's budget.

This dangerous condition lawsuit arises from injuries received from a trip and fall on an elevated hallway at a County facility. (12-0129)

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, this item was approved with the exception of the Corrective Action Plan, which was continued to February 21, 2012.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

<u>Attachments:</u> Board Letter

Ordinance for Adoption

21. Ordinance for adoption amending the County Code, Title 3 - Advisory Commissions and Committees, relating to the Los Angeles County Children and Families First - Proposition 10 Commission to change the composition of the Commission, add and amend the Commission's duties, and permit the Commission to contract with the County for certain types of services. (12-0371)

On motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, the Board adopted Ordinance No. 2012-0004 entitled, "An ordinance amending Title 3 – Advisory Commissions and Committees of the Los Angeles County Code, relating to the Los Angeles County Children and Families First – Proposition 10 Commission." This ordinance shall go into effect February 23, 2012.

Ayes: 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Knabe, Supervisor Antonovich and Supervisor Yaroslavsky

Attachments: Ordinance

Certified Ordinance

V. MISCELLANEOUS

- 22. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.
- 22-A. Recommendation as submitted by Supervisors Ridley-Thomas and Molina: Support Governor Brown's proposed November 2012 ballot initiative entitled "The Schools and Local Public Safety Act of 2012" which would constitutionally guarantee revenues to local governments to pay for the 2011 Public Safety Realignment and protect governments from future increased and unfunded costs associated with administering realignment programs; and send a five-signature letter to the California State Association of Counties expressing the Board's support for the Governor's proposed ballot initiative. (12-0427)

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Molina, this item duly carried by the following vote:

Ayes: 3 - Supervisor Molina, Supervisor Ridley-Thomas and Supervisor Yaroslavsky

Noes: 2 - Supervisor Knabe and Supervisor Antonovich

Attachments: Motion by Supervisors Ridley-Thomas and Molina

Report Video

- 23. Items not on the posted agenda, to be presented and (if requested) referred to staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
- **23-A.** Recommendation by Supervisor Yaroslavsky: Make a finding pursuant to Government Code Section 54954.2(b)(2) that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted as specified in Section 54954.2(a). (12-0449)

On motion of Supervisor Yaroslavsky, and by Common Consent, there being no objection, this item was approved.

Attachments: Video

Recommendation by Supervisor Yaroslavsky: Oppose SB 659 (Padilla), legislation which would temporarily delay the dissolution of redevelopment agencies in order to provide the opportunity to address significant legal, financial, and practical issues related to the dissolution of redevelopment agencies that cannot be addressed once the dissolution occurs; and request the County's Legislative Advocates in Sacramento to communicate the Board's position to the Governor and California Legislature. (12-0449)

On motion of Supervisor Yaroslavsky, this item was duly carried by the following vote:

Ayes: 4 - Supervisor Molina, Supervisor Ridley-Thomas,

Supervisor Antonovich and Supervisor Yaroslavsky

Noes: 1 - Supervisor Knabe

Attachments: Video

Public Comment 25

25. Opportunity for members of the public to address the Board on items of interest that are within jurisdiction of the Board.

Jeff Clark, Irene Pang, Eric Preven, Leonard Rose and Arnold Sachs addressed the Board. (12-0466)

Attachments: Video

Adjournments 26

26. On motions duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

Supervisor Ridley-Thomas

Myrtle A. Davis Bishop Clifton A. Ervin Frances Latimer Montgomery

Supervisor Yaroslavsky

Gigi Gordon Dennis O'Sullivan

Supervisors Knabe and Antonovich

Mary Hawkins

Supervisor Knabe

Lloyd Olson

Supervisor Antonovich and All Members of the Board

Sara Marie Nevels Edgar C. Pierce Clyde Smyth

Supervisors Antonovich and Knabe

Judy Wright

Supervisor Antonovich

Robin Branca
Gerald "Joe" Enger
Jon A. Fasana
Sarah Carmel Galier
Allen Claude Haddow
Therese "Terri" Howarth

Donald D. Kammer

Lois Ledford

Brenda Anita Lubbock

Janice Paulette McCabe

Lillian Smith-McGuire

Johnny Otis

Mattie Schweizer

Marilyn Dunton Simpson (12-0464)

VII. CLOSED SESSION MATTERS FOR JANUARY 24, 2012

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision (a) Government Code Section 54956.9)

Ascolese, et al. v. County of Los Angeles et al.; Lockhart, et al. v. County of Los Angeles et al., Employee Relations Commission Arbitration Nos. 093-10, 111-10, 112-10, 119-10 and 120-10.

These matters involve allegations of violations of the Fair Labor Standards Act.

In Open Session, this item was continued one week to January 31, 2012. (11-4743)

CS-2. <u>CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION</u> (Subdivision (a) of Government Code Section 54956.9)

Open Space Legal Defense Fund, et al. v. City of Whittier, et al. Superior Court, Case No. BS128995

This case challenges the authority of the City of Whittier and the Open Space District to allow oil drilling on Proposition A funded property in the Whittier Hills.

In Open Session, this item was continued one week to January 31, 2012. (11-5097)

CS-3. <u>CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION</u> (Subdivision (a) of Government Code Section 54956.9)

<u>City of Carlsbad, et al v. State of California, et al</u>, Sacramento Superior Court Case No. 34-2012-8000-1032

This litigation seeks a court order prohibiting the implementation of ABx1 26 as to the named plaintiffs.

No reportable action was taken. (12-0373)

CS-4. <u>CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION</u> (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation

Allegations regarding civil rights violations in the County jails.

No reportable action was taken. (11-4896)

CS-5. <u>CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION</u> (subdivision (b) of Government Code Section 54956.9

Significant exposure to litigation (one case)

The Board authorized presenting to the District Court the settlement of threatened litigation concerning allegations of discrimination against Section 8 Housing Voucher recipients in the Antelope Valley. The terms of the settlement will be made available upon inquiry by any person as soon as the settlement becomes final. The vote of the Board was 4 to 1, with Supervisor Antonovich voting No. (11-2802)

Attachments: Settlement Agreement

CS-6. <u>DEPARTMENT HEAD PERFORMANCE EVALUATIONS</u>

(Government Code Section 54957)

Department Head performance evaluations

No reportable action was taken. (11-1977)

Closing 27

27. Open Session adjourned to Closed Session at 3:00 p.m. following adjournments to:

CS-3.

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

<u>City of Carlsbad, et al v. State of California, et al</u>, Sacramento Superior Court Case No. 34-2012-8000-1032

This litigation seeks a court order prohibiting the implementation of ABx1 26 as to the named plaintiffs.

CS-4.

Confer with legal counsel on anticipated litigation, significant exposure to litigation, pursuant to subdivision (b) of Government Code Section 54956.9:

Allegations regarding civil rights violations in the County jails.

<u>CS-5</u>.

Confer with legal counsel on anticipated litigation, significant exposure to litigation (one case), pursuant to subdivision (b) of Government Code Section 54956.9:

CS-6.

Consider Department Head performance evaluations, pursuant to Government Code Section 54957

Closed Session convened at 3:03 p.m. Present were Supervisors Gloria Molina, Mark Ridley-Thomas, Don Knabe, Michael D. Antonovich and Zev Yaroslavsky, Chairman presiding.

Closed Session adjourned at 5:36 p.m. Present were Supervisors Gloria Molina, Mark Ridley-Thomas, Don Knabe, Michael D. Antonovich and Zev Yaroslavsky, Chairman presiding.

The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting at 5:36 p.m.

The next Regular Meeting of the Board will be Tuesday, January 31, 2012 at 9:30 a.m. (12-0469)

The foregoing is a fair statement of the proceedings of the regular meeting held January 24, 2012, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Sachi A. Hamai, Executive Officer Executive Officer-Clerk of the Board of Supervisors

Ву

Janet Logan

Chief, Agenda and Communications

Division, Board Operations